

## **PLAINTIFFS' EXHIBITS**

(Bold/highlighted exhibits more likely to be used)

1. **Britt Medical Records (joint stipulated version)**
2. **Britt Medical Bills & Summary**
3. 1980 00 00 Wendt et al Article: *Epidemiology of Infection by Tuberculous Mycobacteria* SORIN-BAKER\_E00313168
4. 1983 00 00 Falkinham et al Article: *Epidemiology of Infection by Non-tuberculous Mycobacteria, Preferential Aerosolization of Mycobacterium Intracellulare from Natural Waters* SORIN-BAKER\_E00313087
5. 1987 00 00 Exner et al Article: *Influence of Biofilms by Chemical Disinfectants and Mechanical Cleaning*, SORIN-BAKER\_E00000963
6. **2002 00 00 WEITKEMPER HEATER COOLER UNIT—A CONCEIVABLE SOURCE OF INFECTION, SORIN-BAKER\_E00110887**
7. 2002 et seq timeline
8. **2003 00 00 Montana State PPT re biofilm development Sorin-Karst 00034912**
9. 2003 07 01 Falkinham Article: *Mycobacterial Aerosols and Respiratory Disease*, SORIN-BAKER\_E00080616
10. 2005 04 00 Heater – Cooler Competitive Matrix, SORIN-BAKER\_E00009846
11. 2005 08 11 Production Hazard and Risk Analysis by Sorin and Lauda Sorin-Baker\_E00009980
12. 2009 08 00 FDA MDR Reports re Sorin 3T as of August 2009 from 2016 06 02 FDA-Presentation June-2-3 RE NTMS AND HCDS
13. 2010 08 00 Initial Sorin 3T IFU SORIN-BAKER\_E00003888
14. **2011 00 00 Prevention of Patient Exposure to RGM in Water Supply Sorin Karst 00034948**
15. **2011 04 11 FDA LETTER TO SORIN RE FDA VISIT TO MUNICH PLANT SORIN-BAKER\_E00048517**
16. 2011 04 13 Dupoux Email to Peis et al SORIN-BAKER\_E00219661
17. 2011 04 22 Email Dupoux and Peis attaching EPA Biofilm Article: *Control of Biofilm Group in Drinking Water Distribution Systems*, SORIN-BAKER\_E00254509
18. 2011 06 14 Email from Erwin Knott to Peis Dupoux attaching Study: *Heater/Cooler Disinfection—Rationale and Procedure*, SORIN-BAKER\_E00154790
19. 2011 06 17 Dupoux Email to Knott and Peis, Meeting Notes Dupoux Dep Ex 11
20. **2011 07 08 Knott Email to Peis et al, SORIN-BAKER\_E00154910**
21. 2011 07 11 Dupoux Email to Peis SORIN-BAKER\_E00142428
22. **2011 07 11 Peis Letter to Dr. Grebner SORIN-PIEC\_K00144232 SORIN-BAKER\_E00154914**
23. 2011 09 03 Dupoux Email to Peis et al Dep Ext 04 SORIN-KARST00252176
24. **2011 09 27 Risk Analysis Review at SORIN-BAKER\_E00007683**
25. 2012 05 23 Risk Analysis and Assessment SORIN-BAKER\_E00006056
26. **2012 06 00 Updated Instructions for Water Cleanliness for Sorin 3T Davis Gerrald dep EX 8, GRN-Hosp\_0000446**
27. 2012 06 00 Sorin 3T IFU Vers 12 SORIN-BAKER\_E00003690 at p. 44
28. **2012 06 12 TIMELINE OF ZURICH OUTBREAK, Table 1 Sax/Sommerst. Article**
29. 2012 08 00 Email Feyerherm to Voorhees SORIN-BAKER\_E00114228

30. 2013 01 11 Email McKutcheon to Peis: *3T disinfection resistance & suggestions*  
SORIN-BAKER E00156238
31. 2013 01 13, Email Voorhees to Gordon Attached Updated Instructions SORIN-BAKER  
E00114150
32. 2013 02 00, email dated 2014 02 06 from Dr. Sax to Sorin SORIN-MDL00015507
33. 2013 03 00 excerpt Somerstein USZ Outbreak Article SORIN-PIEC K00017563  
SORIN-BAKER E00046079
34. 2013 03 21 Acherman et al Article: *Prosthetic Valve Endocarditis and Bloodstream  
Infection Do to Mycobacterium Chimaera*
35. 2013 09 00 GHS Sorin 3T Heater/Cooler Cleaning Log 2013 Davis Gerrald dep ex  
12 Grn-Hosp\_00000122
36. 2013 09 00 EMAIL DATED 2014 04 14 FROM PEIS TO FRESE RE  
COMMUNICATIONS WITH DR SAX IN SEPT 2013 SORIN-MDL00015403
37. 2013 10 00, EMAIL DATED 2014 06 14 FROM PEIS TO SWISSMEDIC  
ENCLOSING RESPONSES TO SWISSMEDIC AT SORIN-MDL0002498
38. 2013 10 01 et seq GHS Chart Main Water Feed pos tests susp M. Abscessus  
pltf\_f\_johnson00000033\_
39. 2013 11 00 Surgery in Hawaii with 3T 2013 infxn 4 yrs later in 2017 SORIN-  
MDL00013067
40. 2013 11 08 Email Peis to Kohler SORIN-MDL00015390
41. 2014 01 30 Swiss Medic Alert from Zurich Hospital PA 000952.pdf
42. 2014 01 30 Swiss medic report SORIN-PIEC K00017563 [original german]
43. 2014 02 06 Email from Sorin to Sax SORIN-MDL00015507 (dupl of Ex. 28)
44. 2014 02 07 email christine dees to e stefani re zurich sorin-baker e00046115
45. 2014 02 14 Sorin Medwatch Form FDA Sorin Baker # 00020006
46. 2014 02 27 Sorin Letter to FDA SORIN-BAKER\_E00037732
47. 2014 03 07 Email Knott to Peis SORIN-BAKER\_E00221205
48. 2014 03 14 Somerstein Zurich Investigation Results: *Evaluation of a Cluster of  
Mycobacterium chimera Infections in Cardiac Surgery Patients Zürich University  
Hospital* SORIN-PIEC K00017560
49. 2014 04 10 Email Dr. Sax to Peis Hofstetter dep ex 23
50. 2014 04 12 Email from Waldman SORIN-PIEC\_KOO 146853 SORIN-  
BAKER\_E00157535
51. 2014 04 14 FROM PEIS TO FRESE RE COMMUNICATIONS WITH DR SAX IN  
SEPT 2013 SORIN-MDL00015403 Dupl. of Ex. 32 above
52. 2014 04 28 and 04 10 Dupoux Depo Ex 23 Email Dr Sax to Dupoux
53. 2014 05 16 Emails between Zurich Dr. Sax and Peis with Meeting SummarySORIN-  
MDL00015413
54. 2014 06 26 Int Email at CDC, William Kelly EX 13 Sorin-SC00001336
55. 2014 06 27 GHS initial letter to patients
56. 2014 06 30 Swissnos notice: *Possible exposure of heart surgery patients to non-  
tuberculous mycobacteria* Dupoux Depo Ex 24
57. 2014 07 00 GHS Media Statement, from DHEC binder Cox Dep Ex 1.
58. 2014 07 09 Email Dupoux Peis Sorin-Baker\_E00255520
59. 2014 07 14 Sorin Cover Letter [E00046007] Attaching Email [E0050708] and Dear  
Valued Customer Letter [to customers in Europe] SORIN-BAKER\_E00000480 – 85.

60. 2014 07 18 GHS Update Letter to Clients
61. 2014 07 29 Email Shanna Schmidt SORIN-BAKER\_E00063504
62. **2014 08 01 Khorran Letter from Sorin to all US hospitals GRN-HOSP\_00000462**
63. **2014 09 08 Peis email Dupoux Depo Ex 30 Biofilm found in 3Ts in plant on 9/4**
64. 2014 09 26 Dupoux Peis, *Disinfection strategies of Heater/Cooler devices by Lauda;*
65. **2014 09 26 Email Ebner to Peis PA004707 K00171891**
66. **2014 10 14 AEROSOL RELEASE REPORT 3T SORIN-BAKER\_E00211764**  
**Sorin.Baker 37211.37218**
67. **2014 10 16 Dupoux Depo Exhibit 33 Aerosol Release Report signed Peis**
68. **2014 10 20 Root Cause Investigation Summary Report SORIN-BAKER\_E00047461**
69. 2014 11 04 Complaint Investgn Rpt re biofilm Dupoux Depo Exhibit 40
70. **2014 11 07 Peis emails with Prof Werner re use 3T in the OR Dupoux Depo Exhibit 38**
71. 2014 11 07 Peis letter to FDA Dupoux Depo Ex 39
72. **2014 GHS Isolate Testing 95% similar**
73. **2015 04 20 Sorin Field Action Plan Peis dep ex 34**
74. **2015 04 27 Root Cause Investigation Summary Report SORIN-BAKER\_E00026108**
75. 2015 05 15 Sorin Risk Review SORIN-BAKER E00038547
76. 2015 05 29 Summary of NTM complaints and corrective action Dupoux Depo Ex 34
77. **2015 06 01 IFU SORIN-BAKER\_E00030324**
78. **2015 06 03 FSN from Ds to Foreign Hospitals SORIN-BAKER\_E00022006**
79. **2015 06 05 Khorran Letter II to FDA SORIN-BAKER\_E00001645**
80. **2015 06 10 Email Katja Richter Sorin-Baker\_E00135082**
81. **2015 06 10 Disfnx Decontam proposal and Sorin PPT p. 27**
82. **2015 06 15 Class 2 Device Recall STOCKERT HEATERCOOLER SYSTEM 3T**
83. **2015 06 15 Dupoux Depo Exhibit 62 Dupoux Email re BAKER -0017**
84. **2015 06 15 FSN FIELD SAFETY NOTICE Sorin- Baker\_E00032828**
85. 2015 06 16 Email Chain SORIN-BAKER\_E00056977
86. **2015 06 22 Shanna Schmidt emails Sorin-Baker\_E00057178**
87. **2015 07 00 Sax Somerstein Article Suppl Data**
88. **2015 07 00 Sax Somerstein Article**
89. **2015 07 02 Email Dupoux to Olgarth Dupoux Depo Ex 48**
90. 2015 08 12 kreul ex 1 email
91. 2015 08 06 FSN 3T is source of contamination Sorin Baker 000499882
92. **2015 08 27 FDA inspn citation and Form 483 SORIN-BAKER\_E00030867**
93. 2015 08 27 Shanna Shmidt Email SORIN-BAKER E00058599
94. 2015 09 04 Internal Memo Monaghan dep ex 34
95. **2015 09 07 EMAIL WALDMANN TO PEIS re "FORESEEABLE" Dupoux Depo Ex 47**
96. **2015 09 12 Dupoux Email Dep Ex 50 Sorin-Baker 324734- 324736**
97. 2015 09 23 Sorin Risk Review re Laud Peis dep ex 17
98. 2015 09 18 Sorin response to FDA form 483 Dupoux Depo Exhibit 51
99. **2015 10 00 DVC Letter from Sorin Sorin-Baker\_E00049442**
100. **2016 10 00 Sorin Q and As re 3T Dupoux dep ex 13 SORIN-BAKER E00020261**
101. 2015 10 15 FDA Safety Communications > Nontuberculous Mycobacterium Infections Associated with Heater-Cooler Devices/ FDA Safety Communication

102. 2015 10 29 Email Prof Falk. to CDC Falkinham dep ex 39
103. **2015 11 12 Meeting Recap FDA and LivaNova SORIN-BAKER\_E00015442**
104. **2015 11 18 Email Peis to Dupoux Dupoux Depo Ex 56**
105. 2015 12 02 Berch 06 focus on sealing the tank Alt Design possible
106. **2015 12 09 Email Niemann to Peis Dupoux Depo Exhibit 57, most likely from your production line."**
107. 2015 12 10 Dupoux Depo Exhibit 55 Dupoux QA Update
108. **2015 12 15 Berch 09 Engr Rpt on 3T Fan SORIN-KARST 00179900**
109. **2015 12 29 FDA warning letter to Sorin 3T SORI N-BAKER E00020441**
110. 2015 cambridge Abscessus infection 3T
111. 2015 Prodn Hazard Analysis SORIN-BAKER\_E00230904
112. 2015 Sax Article Where it all began SORIN-BAKER\_E00045804
113. 2016 00 00 Sorin PPT SORIN-BAKER\_E00099573
114. 2016 01 05 Sorin Press release re FDA letter SORIN-BAKER EO0205743
115. 2016 01 12 Berch 11 Sorin 3T remdiation plan
116. **2016 01 20 Coyle 17 Sorin Response to FDA questions**
117. **2016 02 01 EMAIL JOE FALK TO SORIN SORIN-BAKER\_E00191947;**
118. **2016 02 02 SORIN-BAKER\_E00196573 Peis Email to Prof. Falk.**
119. **2016 02 04 Email Dupoux to Falk SORIN-BAKER\_E00197829**
120. **2016 02 04 Falkinham Resp to Dupoux SORIN-BAKER\_EOO 191944**
121. 2016 02 04 EMAIL Prof Falk to Dupoux re H202
122. 2016 02 08 Email Chain Falkinham and Sorin Falkinham Dep ex 14
123. 2016 02 08 Prof Falk to Dupoux Falkinham dep ex 15
124. 2016 02 08 Email Dupoux to Prof Falk Falkinham dep ex 16 re Hot water
125. 2016 02 08 Email Dupoux to Prof Falk Falk dep ex 17 re hot water
126. 2016 03 03 3T Coyle 21 complaint retrospective review SORIN-KARST00000942
127. **2016 03 07 FDA letter to Sorin Sorin-Baker\_E00016648**
128. 2016 03 17 Sorin Response to FDA from Peis SORIN-BAKER E00027243
129. **2016 03 22 Berch 17 Sorin testing 3T aerosol emission with videos and smoke pens SORIN-KARST00185554**
130. 2016 04 06 Sorin email to Prof Falk. Falkinham dep ex 21
131. 2016 04 07 Berch Dep ex 23 SORIN-KARST00260514
132. 2016 04 09 Berch 20 Berch email Dupoux re aerosol release tests SORIN-KARST00186905
133. **2016 04 16 Sorin Engineering Report re Aerosolization SORIN-BAKER\_E00033973**
134. **2016 04 20 Falkinham PPT Falkinham dep ex 19**
135. 2016 05 02 Email chain Falkinham Peis SORIN-PIEC\_KOO 185854
136. 2016 05 09 Sorin Engineering Rpt SORIN-BAKER\_E00042562
137. 2016 05 13 Berch 13 Response to Dupoux Questions on 3T SORIN-KARST00259908
138. 2016 05 16 NTM INFECTIONS AND HCU WEBINAR FDA
139. 2016 05 31 Email Falk. to Zambotto Falkinham dep ex 23
140. **2016 06 01 excerpt from School magazine Britt**
141. **2016 06 01 VIDEO Sommerstein-testing HCUs air movement, smoke=uransmission of Mycobacterium chim**
142. **2016 06 01 Email. Prof Falk to Sorin with Photo Falkinham dep ex 24**
143. 2016 06 01 FDA Safety Communications

144. **2016 06 02 Dupoux 02 Sorin PPT to Circulatory Devices Panel**
145. **2016 06 02 FDA-Presentation June-2-3 RE NTMS AND HCDS**
146. **2016 06 02 NTMs in HCDs in PA Article Dupoux 2 Ex. 19**
147. **2016 06 02 Dupoux 03 Transcript of FDA Hearing**
148. **2016 06 13 Biofilm will develop over time SORIN-BAKER\_E00049563**
149. 2016 06 21 Berch 22 Bacterial growth graph in Sorin 3T SORIN-KARST00230952
150. 2016 07 01 **Abscessus** after 3T operation PA
151. **2016 07 02 Dupoux 2 Ex. 04 Swiss Medic Notes of Mtg with Sorin**
152. 2016 07 04 Berch 19 SORI N-KARST00186788
153. 2016 07 30 Berch 26 Dupoux email SORI N-KARST00260935
154. 2016 09 08 Myc **Chelonae** in Essen 3T
155. 2016 09 08 NTM infections in 3ts SORIN\_BAKER\_E00333950\_native NTM Report
156. 2016 09 08 SORIN-BAKER\_E00333950 CHELONAE FOUND N ESSEN
157. 2016 10 00 SORIN-BAKER\_E00044212 SORIN CORRECTIVE ACTION PLAN
158. 2016 10 05 Falkinham dep ex 30 SORIN-KARST00229837
159. 2016 10 13 FDA Safety Communications
160. 2016 10 15 Dupoux Depo Exhibit 63 Dupoux Summary of Action plan
161. **2016 11 27 Paul Talbot email SORIN-BAKER\_E00338782**
162. 2016 12 12 Dupoux Depo Exhibit 66 SORIN-KARST00331589
163. 2016 12 16 Letter CDC to SC Patient re 3T
164. 2017 00 00 ALLEN ARTICLE
165. 2017 00 00 Lyman Art SORIN-BAKER\_E00309628
166. **2017 04 12 SORIN-BAKER\_E00044316 LETTER re Mitigation Measures to 3T**
167. 2017 05 00 Inge Article SORIN-BAKER\_E00309628
168. **2017 08 17 Sorin Press Release re new design 3T Dupoux dep ex 4**
169. 2018 03 00 SOMMERSTEIN Global Health Estimate of Invasive Mycobacterium chimaera Infections Associated with Heater–Cooler D
170. **2019 06 27 Ds Patent Application for Vacuum Sealed 3T**
171. 2019 09 04 **Chelonae** found in another Sorin 3T
172. 2022 08 23 Amended and Revised Fact Sheet \_Redacted
173. 2022 10 23 DIAGRAM OF HCD
174. Exhibits from any Sorin Employee, Officer, Director, Consultant or Affiliate depositions, including Thierry Dupoux, Christian Peis, Amritt Khorran, Shanna Schmidt, Cheri Voorhees, Rori Mattson, Eric Frese, Paul Talbot, Bryan Olin, Erwin Knott, Adam Clark, Allan Whittington, Patricia Monaghan, Katja Richter, Prof. Joseph Falkinham, Steve Berch, Jim Trevor, Carrie Wood, Ryan Coyle, Patti Cummings, Christian Hoffstetter, Celeste Kreul, Scott Light, Winfried Ebner, and Prof. Werner